

**SEX OFFENSE AND HARASSMENT POLICY**  
**289-HELP (289-4357) - 24-hour help line**

Holy Cross College recognizes the “dignity of the human person” and calls for all members of the Holy Cross College community to act in ways that respect that dignity. Healthy relationships include consent, understanding boundaries, respect, equality, communication and responsibility. The College embraces the Catholic Church’s teaching that a genuine and complete expression of love through sex requires a commitment to a total living and sharing together of two persons in marriage. Therefore, sexual abstinence for unmarried students is an expectation that is consistent with the College’s Catholic educational mission. In accordance with Title IX, the following policy information is promulgated:

Holy Cross College does not discriminate on the basis of sex in its education programs and activities and Title IX requires it not discriminate in such a manner. Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator, T.S. Holland, Executive Vice President, 54515 SR 933 North, Notre Dame IN 46556 574.239.8372, [tsholland@hcc-nd.edu](mailto:tsholland@hcc-nd.edu) or to the Office of Civil Rights.

Sexual harassment, including sexual violence are among the types of conduct prohibited by the sexual discrimination clause. Student complaints of sexual discrimination against college employees, other students, or third parties are to be filed with Campus Security. Accusations of sexual discrimination, sexual harassment, or sexual violence against Holy Cross College students, regardless of where the conduct occurred, will be adjudicated in accordance with the Student Handbook. Addendum A of the Student Handbook also provides information for prompt and equitable resolution of student sexual offenses. Such accusations against college employees or third parties shall be addressed by the college administration in accordance with employment law. All such complaints shall be investigated impartially, and both parties shall have equal opportunity to present relevant witnesses and evidence, to know the outcome of the complaint, and have the same appeal rights. A preponderance of evidence standard is used to resolve complaints of sexual discrimination. The college will take steps to prevent recurrence of harassment and to correct its discriminatory effects on the complainant and others, if appropriate. The college will also take steps to prevent retaliation, and take strong responsive action if it occurs.

***Sexual Harassment***

Harassment occurs when a person who, with intent to harass, annoy, or alarm another person:

- makes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature.
- makes a telephone call, whether or not a conversation ensues;
- communicates by mail or other form of written communication;
- uses a computer network or other form of electronic communication to transmit an obscene message , or indecent or profane words to a person referring to sexual conduct in an offensive way.

Sexual offenses are forms of sexual harassment prohibited by Title IX.

***Sexual Offenses***

Sexual behavior of any kind that occurs forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent, is considered to be a sexual offense. The college will neither tolerate nor condone any form of sexually abusive behavior on the part of its community members whether physical, mental, or emotional. This includes any actions that are demeaning to others including, but not limited to, acquaintance rape, gang rape, or verbal or written harassment.

***Acquaintance Rapes***

Almost all sexual assaults on college campuses are acquaintance rapes.

- In most cases, at least one of the persons involved is under the influence of alcohol or other drugs. About 75% of male students who take part in acquaintance rapes had been drinking; about 55% of female students had. The best defense is not to drink alcohol.
- Don’t assume that anyone is “too nice” to commit sexual assault.
- Carry a cell phone at all times to call for help if needed.
- Avoid being alone especially in unsafe situations and with strangers and persons you don’t know well or with whom you don’t feel safe.
- Never leave a drink unattended because of “date rape” drugs, which have no odor or color when mixed with drinks.

***Information & Support Services for Victims of Rape & Sex Offenses***

The first priority of a student who has experienced a sexual offense is to get to a place of safety. The student should then obtain necessary medical treatment. The college strongly recommends that a victim of a sexual offense report the incident in a timely manner. A sexual offense should be reported directly to Campus Security, Hall Director, Director of Residence Life, Dean of Students or Executive Vice-President, or if the offense occurred off-campus, the local police.

## **Sex Offense Services (S-O-S) Rape Crisis Center, South Bend**

S-O-S is St. Joseph County's rape-crisis center, housed within the Family Justice Center (FJC) of St. Joseph County. S-O-S is **staffed by trained professionals and volunteer advocates** who are **available 24 hours a day/7 days a week**.

S-O-S staff can provide **confidential counseling and recovery services**, as well as support and information about communication with the police, family and friends. S-O-S Volunteer Advocates provide emotional support and information **on the phone and in person at area hospital Emergency Rooms** around the clock. Specially trained professionals offer confidential counseling, group therapy, information, and referrals. S-O-S Advocates can act as a liaison between the victim and the legal process, and **can accompany the victim to court, if desired**.

**You can reach S-O-S by calling 574.289.HELP (574.289.4357).**

## **St. Joseph County Prosecutor's Office, Special Victim's Unit**

This specially trained unit of the St. Joseph County Prosecutor's Office consists of **victim advocates, law enforcement investigators, prosecutors, paralegals**, and other **prosecutorial support staff**. Twelve detectives who are trained and experienced in domestic violence, sexual assault, and child abuse cases come together from the three major police departments in St. Joseph County--the South Bend Police Department, Mishawaka Police Department, and the St. Joseph County Police Department--to **coordinate their efforts and to concentrate on these specific crimes**. They work under a Commander and Assistant Commander and a prosecutorial staff whose expertise is these types of crimes as well.

The **SVU is located on the 2<sup>nd</sup> floor of the Family Justice Center of St. Joseph County (FJC) at 711 E. Colfax, South Bend, Indiana**. The SVU is open 8:00 - 4:30, Monday - Friday. **Phone: 574.235.7818**.

**For more information on ways to reduce your risk of sexual assault, click here:**

<http://www.rainn.org/get-information/sexual-assault-prevention>

<http://www.loveisrespect.org/>

<http://www.cdc.gov/Violenceprevention/sexualviolence/index.html>

National Sexual Assault Hotline: 1.800.656.HOPE (1.800.656.4673)

United States Department of Justice: